

FILED

NOV 15 2005

 CLERKUNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AZEEM ABDUL MUHAMMAD,

Defendant.

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CR 05-40126

ORDER

Counsel for Defendant has filed a Motion for Continuance, Doc. 16, requesting an extension of the date for filing motions, the motion hearing, plea deadline and trial date, and counsel for the Government has no objection. After consideration of the file in this matter, the Court finds that failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence and further that failure to grant the continuance would deny the public interest in bringing this case to trial in an orderly fashion. Further, the Court finds that the ends of justice served by continuing this trial outweigh the best interests of the public and the Defendant in a speedy trial. For all of those reasons as well as those set forth in the Motion for Continuance,

IT IS ORDERED:

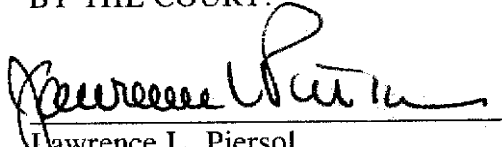
1. That Defendant's Motion for Continuance, Doc. 16, is granted.
2. That all other motions as to Defendant shall be filed and served on or before December 12, 2005; with opposing counsel to respond thereto on or before December 22, 2005; and that a hearing thereon will be held before The Honorable John E. Simko, in Sioux Falls, South Dakota, on Tuesday, January 3, 2006, at 9:30 A.M.; and the Court will not consider a stock motion for leave to file further motions, however, the Court will consider a motion filed by a party after the deadline if the party can show good cause
3. That January 5, 2006, is hereby set as the deadline for submission to the

Court of any proposed plea agreements.

4. That all motions in limine shall be in writing and filed, together with proposed instructions, with the Court ten (10) working days before trial.
5. That the jury trial herein as to Defendant shall commence in Sioux Falls, South Dakota, on Tuesday, February 7, 2006, with counsel to be present for motions in limine at 9:00 A.M., and with the jury to report at 9:30 A.M.
6. That the period of delay resulting from such continuance is excluded in computing the time within which the trial of the offense for the Defendant must commence, as the Court finds that the ends of justice served by taking such action outweigh the best interests of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

Dated this 15th day of November, 2005.

BY THE COURT:


Lawrence L. Piersol
Chief Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: 

DEPUTY